

1 RACHEL N. SOLOW
Nevada Bar No. 9694
2 **SOLOW LAW GROUP, PLLC**
2505 Anthem Village Dr., Suite E517
3 Henderson, Nevada 89052
Telephone: (702)460-1735
4 Email: *rsolow@solowlawgroup.com*

5 *Attorney for Plaintiff*

6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 TIMOTHY LUGER,

9 Plaintiff,

10 v.

11 THE UNITED STATES OF AMERICA,

12 Defendant.
13

)
) Case No. 2:17-cv-02839-GMN-GWF
)
)

11 **STIPULATION TO EXTEND
SCHEDULING ORDER DEADLINES
(Third Request)**

14 Pursuant to Local Rules 6-1, 26-4, and Fed. R. Civ. P. 6(b), the parties stipulate to
15 amend the Scheduling Order [Doc. 19] subject to this Court's approval, that the deadlines in the
16 approved discovery schedule be extended as set forth below. The parties assert that good cause
17 exists for the requested extension.

18 **1. Status Report.** This request is made more than 21 days prior to the discovery
19 deadline, which is currently set for **January 7, 2019**. This is a medical malpractice case brought
20 under the Federal Tort Claims Act.

21 **2. Status/Discovery Completed.** The parties have further completed the following
22 discovery:

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- Initial disclosures have been made pursuant to Fed. R. Civ. P. 26(a)(1)(C).
 - Written discovery has been exchanged.
 - The deposition of Plaintiff has been taken.
 - The parties have exchanged expert disclosures.
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1 **3. Discovery remaining.** Additional written discovery may be made, depositions of
2 expert witnesses will be taken, and additional fact witness deposition may be taken.

3 **4. Reasons for extension.** The parties stipulate and agree to a brief extension for
4 rebuttal expert disclosures. Defendant requested a brief extension due to the voluminous records
5 its rebuttal experts had to review in this case. Plaintiff's expert had to travel out of the country
6 unexpectedly for a week, which delayed his rebuttal report. An extension gives the parties'
7 experts adequate time to prepare their rebuttal reports and will not impact the other dates in the
8 recent Scheduling Order [Doc 19].

9 **5. Revised discovery schedule.** The parties stipulate and agree to a **brief extension**
10 **for rebuttal expert disclosures as Plaintiff's expert traveled out of the country**
11 **unexpectedly.** The parties agree to the following revisions to the discovery plan and ask that the
12 Court adopt it as the revised scheduling order in this case.

13 **A. Rebuttal Expert Disclosure Date:** The parties agree and respectfully
14 request that the discovery cutoff date be extended from **October 13, 2018 to October 25, 2018.**

15 Respectfully submitted this 23rd day of October 2018.

16 SOLOW LAW GROUP, PLLC

DAYLE ELIESON
United States Attorney

17 /s/ Rachel Solow
18 RACHEL SOLOW, ESQ.
19 1445 American Pacific Drive,
20 Suite 110-294
Henderson, Nevada 89074
Attorney for Plaintiff

/s/ Steven W. Myhre
STEVEN W. MYHRE
Assistant United States Attorney
Attorneys for the United States

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23 **IT IS SO ORDERED:**

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25 **UNITED STATES MAGISTRATE JUDGE**

26 **DATED: 10/25/2018**
